

while taking physical therapy.

6. That on or about 17th day of April, 2002, had surgery where they took two disks out and replaced with two bones.

7. That at the time of said accident the Plaintiff was employed as a Manager of a pig nursery and was receiving a salary or wages or other earnings the operation of the pig nursery of \$3,000 per month and working approximately 40 to 45 hours per week.

8. That all of Plaintiff's injuries sustained were related to the accident on 4th day of December, 2000, and reinjury on the 17th day of September, 2001, and that the statute has been tolled by the payment of medical bills associated with these injuries.

9. That as a result of said injuries the Plaintiff has undergone surgery, physical therapy, medication, and several pain treatments.

10. That the employer had notice and knowledge of said accident and injury on or about the 4th day of December, 2000, and reinjury on the 17th day of September, 2001, and that the statute has been tolled by the payment of medical bills associated with these injuries.

11. That the matters in dispute are:

a. That medical bills from all the physicians, medication, and physical therapy past and future be paid.

b. That the Temponey Total Disability be paid from December 4, 2000 to present.

c. That Plaintiff upon reaching maximum level of recovery be awarded permanent total or partial disability.

d. That loss of earning capacity be paid.

e. That vocational rehabilitation be administered and paid

IN THE NEBRASKA WORKERS' COMPENSATION COURT

RODNEY BUELL,) CASE NO. *Doc 203 - 2099*
Plaintiff,)
vs.)
FURNAS COUNTY FARMS,) PETITION
Defendant.)

COMES NOW, the Plaintiff, Rodney Buell, by and through his attorney, P. Stephen Potter, and for the cause of action against the Defendant alleges and avers the follows:

1. That Defendant, Fumas County Farms, is a Nebraska corporation, located in Fumas County Nebraska, with its principle place of Arapahoe, Fumas County, Nebraska, at all times relevant.
2. That Plaintiff, Rodney Buell, Social Security #506-92-6901, who was born December 7, 1960, whose address is RR 1, Box 20A, Eustis, NE 69028, was an employee of Fumas County Farms at all times relevant.
3. That on or about the 4th day of December, 2000, the Plaintiff in the scope of his employment for Fumas County Farms, Arapahoe, Fumas County, Nebraska, was bending over to pick up a ten pound pig and he slipped and fell. He fell on his right side and hit a pen post. He continued working that day and took vacation days from January 10 to January 18th because of the back pain. The injury resulting in herniated disks in Plaintiff's back.
4. That on or about the 2nd day of May, 2001, in Good Samaritan Hospital, Kearney, Nebraska, Plaintiff had a selective nerve root block of left L5; left L2 dorsal root ganglion block, and a posteromedial branch blocks of left L3, L4, L5, and S1.
5. That on or about the 17th day of September, 2001, Plaintiff injured his neck

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permanent total or partial disability.

- d. That loss of earning capacity be paid.
- e. That vocational rehabilitation be administered and paid
- f. That this case is brought within the two year statute of limitation.

WHEREFORE, Plaintiff prays that a hearing be had before the Nebraska Workers' Compensation Court and that the right and liabilities of the parties be determined by said Court; and that the Plaintiff be awarded such benefits as he may be entitled to under the provisions of the Nebraska Worker's Compensation Law.

RODNEY BUELL, Plaintiff

BY _____
P. Stephen Foster, P.C. #13372
PO Box 348, 822 Lake Ave
Gothersburg, NE 69138
Phone 308-537-7119

BY Rodney Buell
RODNEY BUELL

STATE OF NEBRASKA)
COUNTY OF Devon)
ss

Now on this 12 day of October, 2003, before me, duly appointed and qualified notary public, personally appeared Rodney Buell to me to be the same and identical person who signed the above and foregoing instrument.



Karolyn K. Wulf
Notary Public

06/08/2004 15:03 FAX

093/004

5. That on or about the 17th day of September, 2001, Plaintiff reinjured his neck while taking physical therapy.

6. That on or about 17th day of April, 2002, had surgery where they took two disks out and replaced with two bones.

7. That at the time of said accident the Plaintiff was employed as a Manager of a pig nursery and was receiving a salary or wages or other earnings the operation of the pig nursery of \$3,000 per month and working approximately 40 to 45 hours per week.

8. That all of Plaintiff's injuries sustained were related to the accident on 4th day of December, 2000, and reinjury on the 17th day of September, 2001, and that the statute has been tolled by the payment of partial permanent disability payment of \$11,734.79 for the dates of December 4, 2000, through February 23, 2003, and for medical bills associated with these injuries.

9. That as a result of said injuries the Plaintiff has undergone surgery, physical therapy, medication, and several pain treatments.

10. That the employer had notice and knowledge of said accident and injury on or about the 4th day of December, 2000, and reinjury on the 17th day of September, 2001, and that the statute has been tolled by the payment of medical bills associated with these injuries.

11. That the matters in dispute are:

- a. That medical bills from all the physicians, medication, and physical therapy past and future be paid.
- b. That the Tempozzy Total Disability be paid from December 4, 2000 to present.
- c. That Plaintiff upon reaching maximum level of recovery be awarded

FORM B7F (A1) (Chapter 11 Corporation Partnership Asset Case) (9/97)		Case Number 04-81489
UNITED STATES BANKRUPTCY COURT District of Nebraska		
Notice of Chapter 11 Bankruptcy Case, Meeting of Creditors, & Deadlines		
A chapter 11 bankruptcy case concerning the debtor Partnership listed below was filed on 5/3/04.		
You may be a creditor of the debtor. This notice lists important deadlines. You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.		
See Reverse Side For Important Explanations.		
Debtor (name(s) and address): Fumas County Farms 4860 33rd Avenue Columbus, NE 68601		
Case Number: 04-81489	Taxpayer ID No.: 47-1800430	
Attorney for Debtor (name and address): Joseph H. Bodine Woods & Atkin LLP 301 South 13th St. Suite 500 Lincoln, NE 68508 Telephone number: (402) 437-8500		
Meeting of Creditors:		
Date: June 4, 2004 Time: 09:30 AM		
Location: Roman L. Hruska Courthouse, 111 South 18th Plaza, US Trustee Meeting Room, Omaha, NE 68102		
Deadlines:		
Proof of claim must be received by the bankruptcy clerk's office by the following deadline:		
EXPIRATION OF THE 3 MONTHS FROM FILING		
For all creditors (except a governmental unit): 3/2/04 For a governmental unit: 180 days from filing for relief		
Creditors May Not Take Certain Actions:		
The filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized.		
Address of the Bankruptcy Clerk's Office: U.S. Bankruptcy Court 111 South 18th Plaza Suite 1125 Omaha, NE 68102	Business Hours: Clerk of the Bankruptcy Court: Dawn Zieh	
Hours Open - Monday - Friday 8:00 AM - 4:30 PM	Date: 5/5/04	

f. That this case is brought with the two year statute of limitation.

WHEREFORE, Plaintiff prays that a hearing be had before the Nebraska Workers' Compensation Court and that the right and liabilities of the parties be determined by said Court; and that the Plaintiff be awarded such benefits as he may be entitled to under the provisions of the Nebraska Worker's Compensation Law.

RODNEY BUELL, Plaintiff

BY _____
P. Stephen Potter, P.C. #13372
PO Box 348, 822 Lake Ave
Gothenburg, NE 69138
Phone 308-537-7119

BY _____
STATE OF NEBRASKA)
) ss
COUNTY OF)

Now on this ____ day of _____, 2003, before me, duly appointed and qualified notary public, personally appeared Rodney Buell to me to be the same and identical person who signed the above and foregoing instrument.

Notary Public

May-14-2004 01:38P FROM:

TO:13985377110

PIC

FURNAS COUNTY FARMS
4860 33rd Avenue
P.O. Box 948
Columbus, NE 68602-0948

(402)564-9464
FAX (402)564-9469

Dear Valued Employee:

This letter is to personally inform you about an important step taken by the organization. On Monday, May 3, Fumas County Farms, Fumas County Trucking, Arapahoe Feed Mill, 7-11 and Fumas County Farms Marketing Company announced that it filed for protection under Chapter 11 of the U.S. Bankruptcy Code. The purpose of Chapter 11 is to allow a company to reorganize its debt, while it continues to operate. Keeping the company operating and producing as many pigs per farm as possible is key to our future.

This action is a step toward a stronger future, of which our employees are a significant part. We value your service and commitment to the organization and are doing everything possible to maintain and protect our long-term relationship.

By way of background, Fumas County Farms incurred significant debt obligations as a result of an aggressive acquisition plan in 2000, when we rolled several individual hog farms into Fumas County Farms. The Company was then plagued with animal health issues (PRRS), as well as an unfavorable swine market, and the Company was unable to pay its debt, namely bank debt, in a timely manner.

During the past two years, in spite of financial difficulties, the Company has maintained positive relations with our banks. In fact, the banks have agreed to provide additional financing so that Fumas County Farms and related companies can continue to operate without interruption. The purpose of the Chapter 11 filing is to try to facilitate an orderly sale of the Company, which both the Company and the banks believe is in everyone's best interests. Technically, this is accomplished under Section 363 of the bankruptcy code, which is why it is usually called a "363 sale." This is a similar to the process Farmland Foods went through to sell the Crete, Nebraska plant.

The Company has identified and signed a letter of intent with a potential buyer. Our intent is to qualify this potential buyer so that we can finalize an asset purchase agreement and conduct a 363 sales process.

It is hoped that an actual sales transaction would close this fall. It is also expected that, if the Company is successfully sold, a buyer would likely preserve the jobs currently held by Fumas County Farms, Fumas County Trucking, Arapahoe Feed Mill, 7-11, and Sand Systems personnel, and that these employees would be offered the same or similar jobs by the buyer.

RECEIVED
AND FILED
MAR 16 2004
NEBRASKA WORKERS' COMPENSATION COURT

IN THE NEBRASKA WORKERS' COMPENSATION COURT

RODNEY BUELL,) DOC. 203 NO. 2098
Plaintiff,)
vs.) CAUSE CONTINUED
FURNAS COUNTY FARMS,)
Defendant.)

The above cause was heretofore set down for trial on the 4th day of May, 2004, before the Honorable Judge John R. Hoffert.

The said cause has been continued to the 21st day of July, 2004, at 1:00 o'clock p.m., at the FURNAS COUNTY COURTHOUSE in Beaver City, Nebraska, said hearing to be held before the Honorable Judge John R. Hoffert.


NEBRASKA WORKERS' COMPENSATION COURT
MICHAEL K. HIGH
PRESIDING JUDGE
By Kay Peterson, Clerk

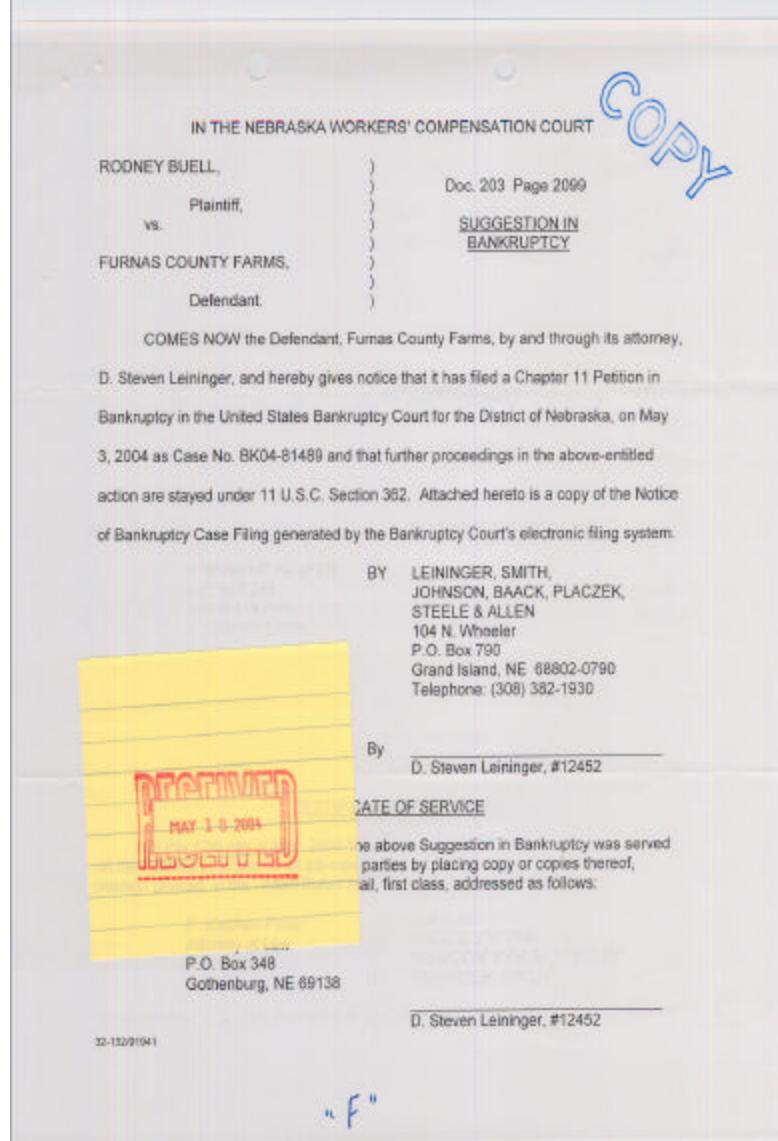
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing cause continued notice was sent by ordinary United States mail, first class postage prepaid, on this 16th day of March, 2004, addressed as shown below, to the following:

P STEPHEN POTTER ATTORNEY AT LAW 822 LAKE AVENUE PO BOX 348 GOTHENBURG NE 69138	DAVID A DUDLEY BAYLOR EVNEN CURTISS GRIMIT & WITT WELLS FARGO CENTER 1248 O STREET SUITE 600 LINCOLN NE 68508
---	---

Kay Peterson,
Clerk, Nebraska Workers' Compensation Court

'C'



MAY-14-2004 01:29P FROH

TO:13005377110

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Page 2 of 2
Employee Letter

It is important to realize that each of you is key to keeping our Company operational and desirable for a new owner. The Company, along with our bank group, recognizes this and as such has permission to continue to pay payroll, benefits, health insurance and other benefits. Vacation and sick leave should remain unaffected during this process as well.

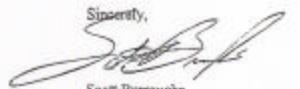
The key is that we continue to conduct our business operations. Based on the papers that have been presented to the Court, we do not expect any interruption in our business. We will continue to produce and ship hogs to our supplier. Our facilities will operate normally.

There is a website set up that contains information for employees as well as vendors at www.furnasfarms.com. Employees that were not able to participate on the May 3, employee conference call, are invited to call and listen to a re-broadcast of the call at 1-800-301-4898. The Human Resources Department will also be able to handle your employee-related questions pertaining to the bankruptcy. Contact Wendy Headley at 402-564-9464, extension 228, or Donna Olmer at extension 252.

It is our intention to provide a continuing flow of information (in writing, electronically, or by conference call) so that you, our employees, along with vendors, and other stakeholders can follow the progress of the Chapter 11 case.

We thank everyone for their continuing support.

Sincerely,



Scott Burroughs
Operations Management Consultant

RECEIVED
AND FILED
JUN - 4 2004
IN THE NEBRASKA WORKERS' COMPENSATION COURT
NEBRASKA WORKERS'
COMPENSATION COURT

RODNEY BUELL,) DOC: 203 NO: 2099
)
Plaintiff,)
)
vs.)
)
FURNAS COUNTY FARMS,)
)
Defendant.)



THIS MATTER came before the Nebraska Workers' Compensation Court in Lincoln, Lancaster County, Nebraska, upon the Suggestion in Bankruptcy filed by Furnas County Farms. These Proceedings are stayed until resolution of the bankruptcy case or upon further order of the United States Bankruptcy Court.

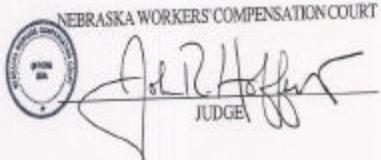
IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that this matter is stayed pending resolution of the aforementioned bankruptcy proceedings.

Dated at Lincoln, Lancaster County, Nebraska, on this 4th day of June, 2004.

NEBRASKA WORKERS' COMPENSATION COURT

John R. Hoffert
COPY

JUDGE

IN THE NEBRASKA WORKERS' COMPENSATION COURT	
RODNEY BUELL, Plaintiff, vs. FURNAS COUNTY FARMS, Defendant.	DOC: 203 NO: 2098))))) ORDER OF STAY RECEIVED AND FILED JUN - 4 2004 NEBRASKA WORKERS' COMPENSATION COURT
<p>THIS MATTER came before the Nebraska Workers' Compensation Court in Lincoln, Lancaster County, Nebraska, upon the Suggestion in Bankruptcy filed by Furnas County Farms. These Proceedings are stayed until resolution of the bankruptcy case or upon further order of the United States Bankruptcy Court.</p> <p>IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that this matter is stayed pending resolution of the aforementioned bankruptcy proceedings.</p> <p>Dated at Lincoln, Lancaster County, Nebraska, on this <u>4th</u> day of June, 2004.</p> <p style="text-align: right;">NEBRASKA WORKERS' COMPENSATION COURT  JUDGE</p> <p>CERTIFICATE OF SERVICE</p> <p>The undersigned hereby certifies that a true and correct copy of the foregoing Order of Stay was sent by ordinary United States mail, first class postage prepaid, on this <u>4th</u> day of June, 2004, addressed as shown below, to the following:</p> <p>P. Stephen Potter Attorney at Law</p> <p>David A. Dudley Baylor, Evnen, Curtiss, Grimit & Witt</p>	

IN THE NEBRASKA WORKERS' COMPENSATION COURT

RODNEY BUELL,)	DOC: 203 NO: 2099
)	
)	
Plaintiff,)	RECEIVED AND FILED
)	
vs.)	ORDER MAR 12 2004
FURNAS COUNTY FARMS,)	NEBRASKA WORKERS' COMPENSATION COURT
)	
Defendant.)	

On this 26th day of February, 2004, this matter comes before the Court on the defendant's Motion for Continuance of Trial presently scheduled for May 4, 2004. Upon due consideration, the Court finds that the motion should be sustained.

IT IS, THEREFORE, CONSIDERED, ORDERED, ADJUDGED, AND DECREED that the trial in the above-entitled action is hereby continued to the 21st day of July, 2004, at 1:00, p.m., at the Furnas County Courthouse in Beaver City, Nebraska.

Dated at Lincoln, Lancaster County, Nebraska, on this 12th day of March, 2004.

NEBRASKA WORKERS' COMPENSATION COURT



John R. Hoffert
COPY

JUDGE